

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	December 7, 2017
Time of Incident:	12:20pm
Location of Incident:	[REDACTED]
Date of COPA Notification:	December 7, 2017
Time of COPA Notification:	2:57pm

On December 7, 2017, Complainant [REDACTED] ("[REDACTED] picked up an Uber fare on a one-way street, then turned right from the left side of the road. Officer [REDACTED] ("Officer [REDACTED] pulled [REDACTED] over and wrote her two citations and an I-bond. [REDACTED] refused to sign the paperwork despite Officer [REDACTED] repeated requests. Officer [REDACTED] opened [REDACTED] car door, grabbed her left arm, pulled her from her car and placed one handcuff on her wrist. [REDACTED] pulled away from Officer [REDACTED] in the direction of oncoming traffic. Officer [REDACTED] pulled [REDACTED] away from traffic, causing her to collide with the side of her car. [REDACTED] alleges that Officer [REDACTED] actions amounted to excessive force. COPA reviewed these allegations.

II. INVOLVED PARTIES

Involved Officer #1:	Star # [REDACTED] Employee # [REDACTED] Police Officer, Unit [REDACTED] Appointment Date: [REDACTED], 1998, Birth Date: [REDACTED] 1970, Male / White
Involved Individual #1:	[REDACTED] Birth Date: [REDACTED] 1992, Female / Black

III. ALLEGATIONS

Officer	Allegations	Finding
Officer [REDACTED]	1. It is alleged by [REDACTED] that on 07 December 2017 at approximately 1220hrs, at [REDACTED] Ave., you: 3. Used excessive force, in that you pulled [REDACTED] out of her car. 2. It is alleged by [REDACTED] that on 07 December 2017 at approximately 1220hrs, at [REDACTED] Ave., you: 2. Used	Unfounded Unfounded

	<p>excessive force, in that you threw [REDACTED] [REDACTED] against her car.</p> <p>3. It is alleged by [REDACTED] that on 07 December 2017 at approximately 1220hrs, at [REDACTED] Ave., you: 3. Used excessive force, in that you handcuffed [REDACTED] too tightly.</p> <p>4. It is alleged by COPA Investigator [REDACTED] that on the same date, time, and location, you: 4. Failed to complete a Tactical Response Report.</p>	Unfounded
		Exonerated

IV. APPLICABLE RULES AND LAWS

Rules

1. Rule 6: Prohibits disobedience of an order or directive, whether written or oral.
2. Rule 8: Prohibits disrespect to or maltreatment of any person, while on or off duty.

General Orders

1. G03-02-02: Incidents Requiring the Completion of a Tactical Response Report.
2. G03-02-01: Force Options

V. INVESTIGATION¹

a. Interviews

[REDACTED]

In a December 8, 2017 interview with COPA, [REDACTED] stated that on December 7, 2017 she was driving her car when she picked up an Uber fare and turned onto North Western Ave. A police officer (now known to be Officer [REDACTED]) pulled her over and approached her vehicle. [REDACTED] cracked her window and asked why Officer [REDACTED] pulled her over. Officer [REDACTED] asked for her driver's license, but [REDACTED] did not have it with her at the time. Officer [REDACTED] went back to his car for a few minutes and came back with two citations. Officer [REDACTED] repeatedly asked her to sign the citations, and each time [REDACTED] responded by asking for a "white shirt".³ [REDACTED] also admitted that she called Officer [REDACTED] "racist". Officer [REDACTED] then opened her driver side

¹ The following is a summary of the material evidence gathered and relied upon in our analysis.

² Att. 9

³ "White shirt" refers to a supervisor.

door, grabbed [REDACTED] by the left arm, and pulled her onto the street. He placed one handcuff on her wrist before throwing her up against her car. Officer [REDACTED] took [REDACTED] to the 14th District, where a sergeant had her sign the citations, and then released her. [REDACTED] returned to the scene to retrieve her car when she looked in the mirror and noticed that she had sustained a bruised and swollen jaw, small cuts to her wrist where Officer [REDACTED] handcuffed her too tightly, and scratches on her neck. She sought medical treatment later that day.

Officer [REDACTED]

In a January 19, 2018 interview with COPA, Officer [REDACTED] stated that on December 7, 2017 he was on a distracted driving traffic mission in the 14th District when he observed [REDACTED] illegally turn right from the left side of a one-way street. Officer [REDACTED] pulled over [REDACTED] and approached the driver's side of her vehicle.

Officer [REDACTED] asked [REDACTED] for a driver's license and insurance information, but [REDACTED] did not have her license with her. Officer [REDACTED] explained the violations he observed, but [REDACTED] did not understand why he stopped her. Officer [REDACTED] eventually issued [REDACTED] two citations and an I-bond⁵ so he could complete the traffic stop.

Officer [REDACTED] gave [REDACTED] instructions about the citations and the I-bond and asked her to sign. Officer [REDACTED] said he asked [REDACTED] multiple times to sign the paperwork, and each time she refused. He then explained to her that if she did not sign the I-bond then he would have to take her into the police station. [REDACTED] continued to refuse to sign the paperwork and asked for a supervisor. Officer [REDACTED] told her she would have the opportunity to speak with a supervisor at the station, but that it was not appropriate to bring out an officer in the middle of heavy traffic. Officer [REDACTED] added that he had not asked [REDACTED] to exit the vehicle up to this point because he believed it would have been dangerous for her to stand in a traffic lane. When [REDACTED] insisted that she would not sign the bond form, Officer [REDACTED] explained that she had to get out of her car.

[REDACTED] refused to exit, so Officer [REDACTED] opened her car door and warned her that she had to get out, or he would do it himself. [REDACTED] moved her feet to get out of the car but did not stand. Officer [REDACTED] stated that he assisted her in standing up by grabbing her arms, then told her that she would have to be handcuffed because she was going in his car. [REDACTED] pulled away from Officer [REDACTED] which caused her to swing towards traffic. Officer [REDACTED] swung her back and up against her car. He said he did this to gain control by using a wristlock and handcuffing her. Once handcuffed, Officer [REDACTED] placed [REDACTED] in his car's backseat. Officer [REDACTED] brought [REDACTED] to the 14th District, walked her into an interview room, and found a supervisor to speak with her. The supervisor spoke with [REDACTED] who then signed the paperwork. The supervisor returned the paperwork to Officer [REDACTED]. Officer [REDACTED] stated that he never heard [REDACTED] complain of injury that day. He added that he did not complete a Tactical Response Report (TRR) because it was not necessary to do so when the only resistance [REDACTED] exhibited was attempting to flee and the only force he used was a wristlock while handcuffing her.

⁴ Att. 28

⁵ Officer [REDACTED] verified that [REDACTED] had a valid driver's license associated with her current address before presenting her with the I-bond paperwork.

b. Digital Evidence***Officer [REDACTED] In-car Camera Footage⁶***

Footage from Officer [REDACTED] car showed that Officer [REDACTED] pulled [REDACTED] over after she turned right from the left side of a one-way street. Although there is no audio, it appears from Officer [REDACTED] and [REDACTED] body language that [REDACTED] was uncooperative. When Officer [REDACTED] ordered [REDACTED] out of the car, she turned her body towards Officer [REDACTED] but did not stand. Officer [REDACTED] grabbed [REDACTED] by the arm and lifted her out of the car. At this point, Officer [REDACTED] is holding onto [REDACTED] as she appears to resist. As Officer [REDACTED] applies hold techniques, [REDACTED] swung around, out of traffic, and back up against her car, where he handcuffed her. [REDACTED] struck her car as she swung around.

c. Documentary Evidence***Photographs⁷***

Photographs provided by [REDACTED] depict one side of her jaw and wrist. There is a very small red mark on her lower jaw and wrist.

Medical Records⁸

Medical Records indicate [REDACTED] arrived at the Emergency Department of the University of Chicago Hospital on December 7, 2017 at 10:51pm and was discharged on December 8, 2017 at 5:37am. [REDACTED] complained of right jaw pain and swelling as a result of an altercation with a police officer earlier in the day. [REDACTED] denied any loss of consciousness and a CT scan did not show any acute fracture or malalignment of bones. [REDACTED] was given acetaminophen and ibuprofen for pain and advised to return if her symptoms worsened.

VI. ANALYSIS

COPA recommends a finding of unfounded for allegations 1, 2, and 3 against Officer [REDACTED]

The facts in this case are largely not in dispute. [REDACTED] was stopped for minor traffic violation and was uncooperative with Officer [REDACTED] when he pulled her over to the side of a busy avenue. CPD's Use of Force policy⁹ details when and how officers may use force. Officers are allowed to use wristlocks on passive resisters, who are defined as, "...a person who fails to comply (non-movement), with verbal or other direction."¹⁰ It is clear from the in-car camera footage, as well as both [REDACTED] and Officer [REDACTED] statements, that [REDACTED] refused to follow Officer [REDACTED] command to get out of her car. Under CPD policy, this made her a passive resister. As

⁶ Att. 22

⁷ Att. 13

⁸ Att. 33

⁹ General Order G03-02-01

¹⁰ General Order G03-02-01-IV-B-1-a

such, it was a permissible use of force when Officer [REDACTED] pulled [REDACTED] from her car and employed a wristlock. Furthermore, based on testimony and in-car camera footage, it appears that [REDACTED] pulled away from Officer [REDACTED] towards oncoming traffic as he attempted to handcuff her. While it is true that [REDACTED] collided with the side of her car, it was only after she attempted to flee into oncoming traffic. Officer [REDACTED] explanation, that he pulled her out of traffic for her own safety, which is what caused her to collide with her car, is both plausible and supported by the in-car camera footage. [REDACTED] third allegation, that Officer [REDACTED] handcuffed her too tightly, is not supported by the evidence. Specifically, her photos of her wrist do not depict anything more than a small mark, and her medical records make no mention of a wrist injury. As such, Allegations 1, 2 and 3 against Officer [REDACTED] are unfounded.

COPA recommends a finding of exonerated for allegation 4 against Officer [REDACTED]

CPD Policy sheds light on Allegation 4, that Officer [REDACTED] failed to complete a Tactical Response Report (TRR). General Order G03-02-02 states that an officer is not required to complete a TRR for the following incidents: “Control holds, wristlocks, and armbars utilized in conjunction with handcuffing and searching techniques which do not result in injury or allegation of injury.”¹¹ Here, Officer [REDACTED] used was a wristlock during handcuffing. Although [REDACTED] later complained of injury to Sergeant [REDACTED] she also stated that she did not notice her injuries until after she had been released from the 14th District, which was after her final interaction with Officer [REDACTED]. In addition, Officer [REDACTED] stated that he did not hear [REDACTED] complain of injury. Therefore, because Officer [REDACTED] used force that fell within a TRR exception, and because he was not aware of any injury or allegation of injury, he was not required to complete a TRR and Allegation 4 is exonerated.

VII. CONCLUSION

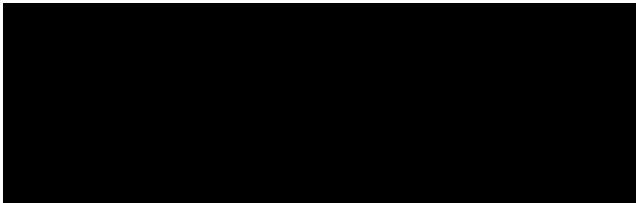
Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegations	Finding
Officer [REDACTED]	1. It is alleged by [REDACTED] that on 07 December 2017 at approximately 1220hrs, at [REDACTED] Ave., you: 3. Used excessive force, in that you pulled [REDACTED] out of her car. 2. It is alleged by [REDACTED] that on 07 December 2017 at approximately 1220hrs, at [REDACTED] Ave., you: 2. Used excessive force, in that you threw [REDACTED] against her car. 3. It is alleged by [REDACTED] that on 07 December 2017 at approximately 1220hrs,	Unfounded
		Unfounded
		Unfounded

¹¹ CPD General Order G03-02-02-III-B-2

	at [REDACTED] Ave., you: 3. Used excessive force, in that you handcuffed [REDACTED] too tightly. 4. It is alleged by COPA Investigator [REDACTED] that on the same date, time, and location, you: 4. Failed to complete a Tactical Response Report.	Exonerated
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Approved:

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1/15/19

Date

Deputy Chief Administrator – Chief Investigator

Appendix A

Assigned Investigative Staff

Squad#:	3
Investigator:	[REDACTED]
Supervising Investigator:	[REDACTED]
Deputy Chief Administrator:	[REDACTED]